

IS EUTHYPHRO A MAN BECAUSE HE IDENTIFIES AS A MAN?

DING

ABSTRACT. Euthyphro is a man and he identifies as a man. The *identity-first approach* holds that Euthyphro is a man because he identifies as a man; the *gender-first approach* proposes that it's the other way around. This paper makes the first argument for the gender-first approach on trans feminist grounds. I show that the gender-first approach offers distinctive explanatory advantages for theorizing trans people's genders on trans people's own terms and suggest that the main challenge it faces can be met by one gender-first account in particular—what I call the *building brick theory of gender*. On balance then the gender-first approach comes out as the more metaphysically (and as a result, methodologically and politically) promising treatment of the relationship between genders and gender identities.

1. EUTHYPHRO'S GENDER TROUBLE

Euthyphro is a man and he identifies as a man. Is Euthyphro a man because he identifies as a man, or does the explanatory relation go the other way around?

Just about everybody working in the metaphysics of gender today agrees that our gender identities are explanatorily prior to our genders; Euthyphro is a man because he identifies as a man. Call this the *identity-first approach*. The identity-first approach supplies the subfield's go-to explanation for why trans people in general and trans women in particular are the genders we say we are—a persistent headache for leading theories of gender (see Jenkins [2016], Kapusta [2016], and McKittrick [2015] for this problem, and see Cosker-Rowland [2023] and Mikkola [2022] for helpful surveys of the literature). And it has taken hold: even those who dismiss trans people's claims to our genders outright take for granted that if trans people are gendered how we are, then we all have to identify as identity-first—except one's *modus ponens* is another's *modus tollens*.

I genuinely cherish the cis feminist solidarity with trans people that has animated the identity-first approach. I'm coming at this from a different angle. My worry is that the identity-first approach is “trans-inclusive” only at a cost: it is ill-suited to explain salient features of gender reality as trans people live and know it on trans people's own

terms. This paper motivates instead a *gender-first approach*. On the gender-first approach, our genders are explanatorily prior to our gender identities; Euthyphro identifies as a man because he is a man. I take it that the gender-first approach has made sense all along, and here I want to offer the first argument for it on trans feminist grounds, appealing to its explanatory power.

Lots of caveats to start. It is standard now to split the metaphysics of gender along a social position–personal identity line. That’s not how I’m carving the literature; my targets are scattered all across the board. A metaphysics of gender is identity-first for my purposes so long as it is fine assigning us genders *by virtue of* how we identify gender-wise, even if it does not treat our gender identities as the sole ground of our genders (Jenkins 2023, 2016; Barnes 2022) or allow our gender identities to determine our genders in all contexts (see useful discussions in, e.g., Cosker-Rowland [2024b]; Chen [2021]; McGrath [2021]; Diaz-Leon [2016]; Bettcher [2013b]; Saul [2012]). So when a defender of the social position account of gender like Elizabeth Barnes (2022) proposes that “gender self-identification is other things being equal, something we should defer to and treat as authoritative when considering gender categorization” (840), she endorses the identity-first approach.

Indeed, the gender-first account I go on to propose may at first glance look a lot like some of the current trans metaphysical work on gender subjectivity glossed under the “gender identity” moniker (Cosker-Rowland 2024a; Ashley 2023; but cf. Ding, forthcoming; Bell 2024, 2023; Briggs and George 2023). One reason is that the gender-first approach, as a commitment to the relative *explanatory* priority of genders over gender identities, extends to neither temporal nor causal priority. Our genders are not some spooky essence we are born with; nobody gets a gender for free without first experiencing it in some embodied way, which may well include experiences of gender identification. Nor is gender identity some causally inert, fixed, brute fact about us, never looping back as it so often does to shape and steer our gender construction. The gender-first approach’s principal complaint against these next-generation identity-first accounts is not exactly how gender subjectivity works. It’s what the concept of gender identity is doing for the metaphysics of gender.

Within cisnormative gender metaphysics, gender identity is presumed to be something that “need not involve an active exercise of agency but can simply be a feature of someone’s experience” (Jenkins 2023, 160). A nifty “trans-inclusive” browser add-on of sorts, the concept of gender identity works to re-display trans people under the

correct gender headings within the substantively unaltered framework of an otherwise cis-centric theory (see, e.g., Barnes's [2022, 2020] and Jenkins's [2016] amendments to Haslanger [2012]). This mirrors, as an emerging line of trans feminist scholarship has pressed, the ideological functions of *gender identity* operating as the mainstream conceptual framework for making sense of lived trans experiences—a “legacy” of pathologizing cis institutions of trans medicine which has taken on a life its own precisely because it's such a quick and dirty “tool for cis intelligibility” (Hernandez and Bell, *forthcoming*), precisely because it caters to “cis people's need for a way to think and talk about trans people” that isn't “too *difficult* for the established order” and doesn't “really challenge its biases and preconceptions” (Briggs and George 2023, 20).

That's not to say that trans metaphysicians have not tried to reclaim *gender identity* to theorize our gender subjectivity for ourselves. But this is complicated by the fact that even card-carrying gender-firsters find *gender identity*'s ready intelligibility all too convenient to resist. In any case, what distinguishes a given gender-first account from its identity-first twin is a structural feature—the relative explanatory priority between genders and gender identities. In principle at least, an identity-first account of gender subjectivity can always go gender-first and be merry, which is a totally fair way to take this paper's argument.

So why bother then? What I'm after is a metaphysics of gender that begins with trans people's lived genders on trans people's own terms, not one that retrofits our experiences into existing cis-centric—even if trans-inclusive—theories, frameworks, and institutions. To me, that's the difference between a *trans feminist* and a *trans-inclusive feminist* approach to gender, in the sense that we wouldn't even have to deal with a tough “inclusion problem” after the fact if we just straight-out started with how trans people do gender. I believe that this is the same fault line between a gender-first and an identity-first approach, considering the specific theoretical and ideological work that cisnormative gender metaphysics has enlisted *gender identity* to do. It's then no surprise that the identity-first approach has a hard time explaining trans people's lived material reality in the ways I discuss below. But it also means that a trans feminist metaphysics of gender needs to look elsewhere for a workable conceptual foundation.

This paper introduces such a project of constructing a trans feminist metaphysics of gender. My aim in the following pages is to make a first case for the gender-first approach to be taken seriously as a particularly viable, appealing path to trans feminist metaphysics. I show that the gender-first approach has distinctive explanatory advantages over

the identity-first approach (§ 2) and suggest that the main challenge it faces can be met by one gender-first account in particular—what I call the *building brick theory of gender* (§ 3). On balance then the gender-first approach comes out as the more metaphysically (and as a result, methodologically and politically) promising treatment of the relationship between genders and gender identities (§ 4).

2. THE ARGUMENT FROM EXPLANATORY POWER

Trans people often characterize the process of figuring out our genders as one of trial and error. We try on different gender identities in search of something that fits and reflects our lived relationship with gender, something that genuinely speaks to who we are on our own terms. We are often puzzled and confused by our relationships with gender, sometimes several times over. We often force ourselves to identify and live as our socially imposed genders, only for others around us to see our cis-coping (“egg”) behavior for what it is. We often embrace one gender identity for the time being, only to recognize its incompatibilities with us further down the line. And we often retroactively interpret our past experiences as consistent with, if not suggestive of, our lived rather than imposed genders. For example, a lot of trans women remember being picked on in school long before we even began to question who we are, our bullies catching clues about our genders before we do. Likewise, many broadly trans masculine people enjoyed roaming around the world as gender-ambiguous little boys, resented their high-pitched voices, felt like boys in dresses and skirts, and agonized over chest appearance, the dots not fully connecting until years if not decades later.

It’s really helpful, in my view, to model what’s going on in terms of *inference to the best explanation*: given the myriad of ways I experience the social meaning of my embodied sex, which gender(s), or the negation thereof, may best explain who I am and how I’m situated in this world? So, as an example, even before CN Lester themselves worked out what to “call my gender or do about my body” (2018, 32), others around them had already turned their “gendered appearance and behavior” into “a subject for public debate” (33).

Some people said that they knew I had to be one way, because I was so “forceful,” “dominant,” and “like a man.” There were as many saying that I had to be the other, and for the opposite reasons—femininity and prettiness. Girls excused their crushes on me by saying I was like a boy,

and boys got angry with me for their crushes, because why couldn't I be more like a girl? (33)

The eureka moment came a year later when they “discovered Kate Bornstein, and ordered a copy of *My Gender Workbook* from America.” This was a breakthrough. “When it arrived, I could barely stand to open it, despite how desperate I was to learn what was inside,” Lester recalls. “It was the old naming magic: I knew that, once I had the words, I wouldn't be able to escape the fact of what I was” (33).

The process of puzzling out our genders, clarified as inference to the best explanation, is literally one of *coming to terms* with our lived gender experiences. It's no wonder that finding the right gender identity—or absence of a gender identity, or collage of gender identities—to capture our lived genders often feels liberatory in a characteristically *clarifying* way. “Before I learned that there were words for people like me,” Lester writes,

I knew what it was I was looking for. I just didn't know how to capture that in a way I could fit into my world and hold on to, to put my feelings in language. Without language, those feelings couldn't solidify. Instead of a stable narrative, my memories of growing up to be what I would later call genderqueer are little flashes of recognition and fascination, sunk back down into what I had been taught I would be. (31)

The effort to solidify lived experience into language by inference to the best explanation is not a passive process of discovery. Trans people can and do exercise creative interpretive agency in actively constructing terms, concepts, narratives, and eventually, identities to capture our genders as we live them out, on our own terms, in light of one another (Bell 2024; Hernandez and Crowley 2024; Ashley 2023; Bettcher 2014, 2013a, 2013b; Hale 1997; see also Rea 2022).

Contrary to popular belief, the empirical data that make up trans people's lived experiences of gender are not limited to inner feelings. Also of note are our lived social positions and relations. Incarcerated trans women, for instance, face sexual and physical violence at an unfathomable rate—69.4% and 80.3% respectively, according to a recent California study (Jenness, Sexton, and Sumner 2019)—precisely because they *are* the women in a race-, class-, gang-structured prison heterosexual economy (see, e.g., Greene 2023; Ding 2023; Stanley and Smith 2011). Incarcerated trans women, in turn, find it absolutely necessary to invoke not only their trans femininity but their

womanhood and explain the sexual and physical violence directed at them as violence against *women*, not gender-nonconforming gay men. Ms. Ashley Diamond tells the judge hearing her case, “As a *woman in a men’s prison*, every day . . . is a living nightmare. I am sexually harassed on an almost daily basis. I am constantly groped and rubbed up on by men, pressured for sex, and threatened with rape or violence when I refuse.”¹ Ms. Adree Edmo recounts, “Living as a woman and expressing my gender freely made me feel for the first time in my life like others saw me as the real person that I am—as the *woman* I am.” But then the “constant fear of being physically harmed or raped by male inmates” and “harassment by prison staff who refuse to accept and treat me as a woman” altogether left her “dehumanized,” “powerless,” “humiliated, ashamed, degraded, and scared.”²

In these and other ways, trans people’s genders carry a salient explanatory significance. Our genders not only play a crucial role in explaining our felt senses of self but form part of the explanation for why and how substantive inequalities target trans people as they do. At the end of the day, trans people come to identify, or decline to identify, as the genders we do, in the ways we do, *because* construing ourselves as (not) members of certain genders speaks to us in this explanatorily powerful way, not the reverse. Our gender identities do not pop into existence *ex nihilo*.

It’s worth noting that what best explains our embodied gender experiences often turns out to be fine-grained (e.g., trans women’s experiences of gender socialization can be so nuanced that perhaps *being a woman having been forced to play drag as a “normal” straight cis boy and at times succeeded in so doing* is the most explanatory for many), if not distanced from the three usual suspects (e.g., Ding [forthcoming, 2025] leverages the explanatory power of genders such as *dolls*, *butches*, *trans fem tomboys*, and *theory dykes with an em dash problem*). At the same time, we may adopt gender identities that diverge from our explanatory genders for reasons as mundane as administrative convenience (e.g., we don’t owe every casual acquaintance, every bureaucratic institution, a three-hour gender explainer), as annoying as the social availability of gendered meanings in the worlds we inhabit (Bell 2024), and as wholesome as the delicious complexities and subtleties of how trans and queer people do gender (Bell 2025).

1. Declaration of Ashley Diamond ¶ 44, *Diamond v. Ward*, No. 20-cv-453 (M.D. Ga. Apr. 9, 2021) (my emphasis).

2. Declaration of Adree Edmo in Support of Plaintiff’s Motion for Preliminary Injunction ¶¶ 8, 16, 18–19, *Edmo v. Idaho Department of Correction*, 358 F. Supp. 3d 1103 (D. Idaho 2018) (No. 17-cv-151) (my emphasis).

The famously fraught butch–trans masc borders are a case in point. It’s a feature not a bug that cis and trans women butches often “have richer, more solid male or masculine self-identifications than do” trans guys (Hale 1998, 322). While many butches are varying hues of trans masc, many others—trans fem dykes and political lesbians to the front—would not be caught dead being men despite our gender identities (Auto Anon 2020; Rubin 1992; see also Rich 1980; Radicalesbians 1971). A dapper he/him cis butch does not become a man just by identifying as a gentleman boyfriend, a silly little guy, or a big bike daddy, but *being a dapper he/him cis butch* does explain why these identities all somehow feel right.

The identity-first approach is awkwardly positioned to explain these features of gender reality as they figure in our lived experiences. By analyzing trans people’s gender identities as explanatorily prior to our genders, the identity-first approach first mistakes an explanandum for the explanans, eliding the explanatory significance of trans people’s genders and the clarifying force of fitting gender identities. Then, it obscures how gender identities, a messy and sometimes unhappy result of trial and error, are often accompanied by genuine confusion along the way and retroactive recognition of our earlier genders on reflection.

That trans people may experience our genders in these ways is, by contrast, readily intelligible, if not practically expected, on the gender-first approach. Attributing explanatory priority to genders over gender identities, the gender-first approach locates the clarifying force of fitting gender identities in the explanatory significance of the genders that they manage to track. Furthermore, from a gender-first standpoint, we can be sincerely yet genuinely mistaken about our genders, and retroactive recognition is not metaphysically or epistemically spooky, precisely because it is in virtue of our genders that we come to construct our gender identities, not the other way around.

3. THE BUILDING BRICK THEORY OF GENDER

But in saying this, aren’t proponents of the gender-first approach merely kicking the can one step down the road? If our genders are explanatorily prior to our gender identities, aren’t gender-firsters now on the hook for explaining where our genders come from?

I take a worry along these lines to be the gender-first approach’s main challenge but argue that it can be met by the specific gender-first account I favor. I call this account the *building brick theory of gender* in that it analyzes gender as the always-in-the-making product of an active

constructive interpretation process, where we create meaning out of gendered situations in which we find ourselves. Think of it literally on the model of Legos: While we don't have a say in which gender experiences, or building bricks of gender, are initially socially given to us and how they come prepackaged if not preassembled, we do get to decide how to fit them together, whether we want to acquire more and perhaps different pieces, and how we interpret what we build. In so doing, many of us follow either of two sets of building instructions socially available to us, though many of us don't, and many of us manage to create and recreate from them something breathtakingly new. To borrow Leslie Feinberg's imaginative metaphor, "gender is the poetry each of us makes out of the language we are taught" (1998, 10). Downstream of such a gender building process are our gender identities—the terms, concepts, metaphors, similes, stanzas, imageries, and melodies that we then consciously embrace to solidify our experienced genders into relatively stable narratives to anchor the construction of our authentic selves. So understood, our gender identities are like little placards we put next to our Lego creations in order to render them intelligible to our social worlds, often in highly deliberate, sophisticated, clever, context-specific ways.

I model this gender building operation on inference to the best explanation (*pace* Bell 2024; Cosker-Rowland 2024a; Ashley 2023; Briggs and George 2023). The way I see it, our genders just *are* whatever may turn out to best explain gender reality as we live and interpret it, on the understanding that gender reality encompasses not just the bodily, the psychological, and the political but also the social and the relational (*pace* Jenkins 2023, 213–14; Rea 2022, 6, 13–14; Barnes 2022, 850–52; 2020, 705–6, 713; Turner 2017, 70; Haslanger 2012, 227–28). Just as the observation of vapor trails in a cloud chamber licenses a physicist to infer the presence of protons on the grounds that this best explains the phenomenon, trans people are justified to embrace and reject the gender identities we do, in the ways we do, on the basis of how well the genders captured by these identities in fact explain our lived gender experiences.

For Julia Serano (2007), puzzling out her gender by inference to the best explanation meant taking into account a broad range of gendered experiences functioning as the explananda: how she feels about her body, how she navigates the world, how she is treated by others around her, how she relates to women in contrast to men, how she expresses herself gender-wise, and the list goes on. Then, she tried out several candidate explanations: that she is a man interested in crossdressing, that she is bigender, that she is genderqueer, and,

eventually, that she is a woman. Some of these explanations felt fitting initially, but not for long. Some of them did work for a long time, until they didn't. And one of them was first dismissed, only to be retroactively recognized as the best explanation all along.

I welcome the fact that the picture I've just painted is reminiscent of some of the latest accounts of gender subjectivity in trans metaphysics. I think it's no coincidence that we've found ourselves fishing closer and closer together in the same pond. Still, however we want to theorize gender subjectivity, we need some view at the end of the day regarding how this all ties back to our genders. Here, my impression is once again that more trans metaphysics stands to benefit from pivoting to gender-first (in addition to being more permissive of genders even beyond beyond-the-binary itself).

Even so, the building brick theory is furthermore uniquely formulated in the model of inference to the best explanation. This gives us an objective story of what our genders are that our subjective judgments can genuinely get wrong and which others may figure out before we do (cf. Cosker-Rowland 2024a, 2716–18; Turyn 2023, 16–17). It does not follow that the building brick theory, in order to gender trans people right, must then resort to something like our gender identities as an overriding data point going into the inference to the best explanation process. In many cases our gender identities may well work that way. But there are also cases where the reverse is true, where our gender identities are not and should not be dispositive of our explanatory genders.

Take, for example, the spectrum of trans girlhood. There are girls who've always known, girls who "don't know what's going on but nothing fucking works" (Storm 2024), girls who savor the delights of "genderben[ding] like it was nobody's business," girls who cope by hitting the gym "in a misguided attempt to achieve an attractiveness in the eyes of my partners that I thought unattainable to anyone but women," girls who make do with being nerds because that's "what you get when think you're a boy, don't want to be hyper masculine, and have that dysphoric shyness that accompanies so many of us" (Auto Anon 2020, 1), and lots and lots more. The hardest case to explain, I think, is how our early relationships with gender can in fact make it the case that identifying as a boy under those circumstances really did and still does feel right all things considered, but that this is itself best explained by us having been *not boys but girls who identified as boys*.

One reason it's so hard has to do with how earlier episodes of gender experiences often go on to shape and in turn be resignified by subsequent ones like a TV series, which loops back into the best

explanation of just what those episodes are (cf. Dworkin's [1986] chain novel analogy). Another is that, compulsory cissexuality operating how it does, our own subjective senses of what best explains the totality of our embodied gendered experiences can really be far further off than the knowing, loving eye of our trans siblings, if not even social media algorithms that keep sending trans egg memes to the "for you" tab.

Of course, none of this is to say that we should tell eggs-apparent to transition without a second thought; eggs need to be handled delicately and diplomatically after all. But it's all part of the experience, part of the building bricks of gender dealt out to us, and inference to the best explanation naturally and straightforwardly explains what's up.

4. EUTHYPHRO IDENTIFIES AS A MAN BECAUSE HE IS A MAN

I have argued that the explanatory power of the gender-first approach speaks strongly in its favor. But the realization that our genders are explanatorily prior to our gender identities is not just metaphysically appealing. Its explanatory power is methodologically and politically appealing too. On the methodological front, the gender-first approach starts with gender as trans people in fact live and know it on our own terms, not *gender identity* as a hotfix for existing cis-centric accounts of gender. On the political front, the gender-first approach allows us to work with an understanding of the relationship between genders and gender identities that readily clicks into place, sidestepping charges of revisionism, circularity, and dismissal of empirical reality. All else being equal, the gender-first approach offers quite a more promising treatment of the relationship between genders and gender identities.³

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